

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WALTER PHILLIPS, On Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

v.

MOLSON COORS BREWING COMPANY, et
al.,

Defendants.

C.A. No. 05-604-GMS

STIPULATION AND PROPOSED ORDER

WHEREAS, on December 19, 2007, Magistrate Judge Stark conducted a telephone conference in the above-referenced case;

WHEREAS, the parties informed Magistrate Judge Stark during the telephone conference that there are several cases decided since briefing on defendants' motion to dismiss was completed that would be beneficial for the Court to consider in deciding the motion to dismiss;

WHEREAS, during the telephone conference, Magistrate Judge Stark ordered that this case be stayed until the Supreme Court issues its decision in *La Rue v DeWolff, Boberg & Associates, Inc.*;

WHEREAS, at the parties' request, Magistrate Judge Stark also ordered that the parties will be permitted to submit supplemental briefing on defendants' motion to dismiss on the following schedule:

1. Simultaneous opening briefs of no more than 15 pages no later than 30 days after the issuance of the Supreme Court's decision in *LaRue*;

2. Responsive briefs of no more than 5 pages no later than 10 days after the filing of the simultaneous briefs;

WHEREAS, on February 20, 2008, the Supreme Court issued its opinion in *LaRue*;

IT IS HEREBY STIPULATED and agreed by the parties hereto, by and through their undersigned counsel and subject to the approval of the Court, that:

1. The stay ordered by Magistrate Judge Stark on December 20, 2007 is hereby lifted;
2. The parties will submit supplemental briefs of no more than 15 pages in length no later than March 24, 2008;
3. The parties will submit responses to the supplemental briefs of no more than 5 pages in length no later than April 3, 2008.

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Dated: February 25, 2008

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February 25, 2008

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SO ORDERED this ____ day of _____, 2008

The Honorable Gregory M. Sleet
United States District Judge